

### **REMARKS/ARGUMENTS**

Claims 1-13 and 15-22 are pending in the captioned application. Applicants have amended claims 1, 2, 11, 12, 18 and 19. Applicants have also cancelled claims 7 and 16. Applicants respectfully request reconsideration and allowance of the claims.

Claims 1-6, 9-13, 15 and 17-22 stand rejected under 35 U.S.C. §102(b) as being anticipated by Musil et al. Applicants respectfully disagree. However, in an effort to expedite prosecution, Applicants have amended the claims. Claims 1 and 2 have been amended to include the limitation of claim 7 while claims 11 and 12 have been amended to include the limitations of claim 16. Claims 18 and 19 have been similarly amended. Applicants submit that the rejection over Musil et al. should now be withdrawn.

Claims 1-13 and 15-22 stand rejected under 35 U.S.C. §102(e) as being anticipated by Nochumson et al. (US 7,026,468). Applicants respectfully disagree.

In response, Applicants first submit that the claims have been amended. Applicants submit that Nochumson et al. do not teach a separation matrix that has pore surfaces and pore size distribution that restricts access of plasmids to pore surfaces. Furthermore, the pore surfaces of the current invention are provided with ligands for RNA adsorption which is not taught by Nochumson et al. Nochumson et al. does not teach RNA being adsorbed by the pore surface. In fact, Nochumson et al. suggests that RNA does not bind tightly and is removed by a first wash (See e.g., column 4, lines 46-55 and column 11 line 60). The method of Nochumson et al. also requires a precipitation

step to precipitate out impurities including RNA prior to column loading (column 4, lines 26-28). Thus Applicants submit that the claims are not anticipated by Nochumson et al.

Applicants respectfully submit that the claims are in allowable form and earnestly solicit the allowance of claims 1-6, 8-13, 15 and 17-22.

Early and favorable consideration is respectfully requested.

Respectfully submitted,

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